

Spring 2011

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Recommended Citation

Weingarten, Karen. "Bad Girls and Biopolitics: Abortion, Popular Fiction, and Population Control." *Literature and Medicine*, vol. 29, no. 1, 2011, pp. 81-103. CUNY Academic Works.

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Bad Girls and Biopolitics: Abortion, Popular Fiction, and Population Control

Karen Weingarten

Were the white world to-day really convinced of the supreme importance of race-values, how long would it take to stop debasing immigration, reform social abuses that are killing out the fittest strains, and put an end to the feuds which have just sent us through hell and threaten to send us promptly back again?

Lothrop Stoddard

*The Rising Tide of Colour
Against White World Supremacy*

In 1922, Lothrop Stoddard, an ardent eugenicist and white supremacist, posed the rhetorical question that forms the epigraph above. His question does not intend an ounce of irony, although a present-day reader might scoff at such a ridiculous attitude. In his time, and for almost his entire career, during which he published several polemical works on the subject of white supremacy, Stoddard was respected and heeded. Presidents Warren G. Harding and Herbert Hoover praised his work,¹ and birth control activist Margaret Sanger asked Stoddard to join the board of the Birth Control League. Stoddard, who received his Ph.D. at Harvard, was viewed as a rational and scientific thinker, and the majority of reviews commenting on his work depicted him as such. Part of his appeal was that, unlike his predecessor Madison Grant, who was one of the founders of the American Museum of Natural History in New York and a well-known eugenicist, Stoddard praised all whites as superior to other races without singling out Nordics as Grant did.²

The motivation behind Stoddard's work is quite transparent: underlying his writing is a deep anxiety that whites will be soon be outnumbered in the US. He points out that around the world whites reproduce less than people of other races, which he believed would

soon lead to the demise of whiteness, or, in his words, the “fitter race.” As he passionately argues, “Everywhere the better types (on which the future of the race depends) were numerically stationary or dwindling, while conversely, the lower types were gaining ground, their birth-rate showing relatively slight diminution.”³ His relentless attack on these “lower types” eventually influenced the US to pass the Immigration Act of 1924, which severely curtailed the number of people allowed to enter the country and laid out strict quotas detailing how many people from various countries would be allowed to enter the US. Every year, with some exceptions, only two percent of the number of a national population already residing in the US would be allowed to immigrate.⁴ The National Census of 1890 determined the numbers of immigrants from each country residing in the US. The Act’s institution, which continues to influence immigration policy today, would be the most far-reaching accomplishment of both Grant’s and Stoddard’s racist diatribes.

Grant and Stoddard are part of a longer genealogy of thought that was first named “eugenics” by the British scientist Francis Galton in 1883.⁵ Galton, a cousin of Charles Darwin and influenced by Darwin’s *Origin of the Species*, first posited an argument in *Hereditary Genius, An Inquiry into Its Laws and Consequences* in which he claimed that genius is always inherited and thus runs through certain families and races. Galton wanted to institute an agenda of “positive eugenics,” where families from “good stock” would be encouraged to reproduce so as to increase the number of fitter British citizens. In the US, Charles Davenport was an early adopter of Galton’s ideas, but with a stronger emphasis on negative eugenics, which sought to isolate “weak” and “dysgenic” families so that measures might be taken to prevent their reproduction. By the early twentieth century, eugenics, particularly in its “negative” form, was implemented as an American science with researchers publishing case studies and numerous books, such as Henry Goddard’s *Kallikak Family*.⁶ I’ve outlined this abbreviated history of eugenics to illustrate how the American obsession with race in the early twentieth century was very much focused on building “knowledge” about how populations *differ* from each other and how this knowledge about difference could be used to manage lives. As Catherine Mills succinctly argues, “the normalizing forces of racism, which allow for the biological fracturing of population and designating of some races as inferior, are the mechanisms by which a state is able ‘to exercise its sovereign power.’”⁷ In this essay, I will examine a more specific example of “sovereign power”: anti-abortion sentiments that encourage

certain groups of women to reproduce and uphold an ideal of national motherhood. These anti-abortion sentiments, I argue, are based on racist ideologies that had carved out antagonistic populations wary of the messiness of reproduction and its potential to erase population lines. Any law that worked to control women's reproductive functions was welcomed within the climate of anxiety created by eugenic theories.⁸

Sociologists Nicola Beisel and Tamara Kay take a similar approach to examining why abortion became regulated in the late nineteenth century and argue against previous paradigms that have pointed to the American Medical Association's drive to medicalize the practice. As they argue, "Claims that physicians played on fears of independent women miss what was at stake: Anglo-Saxon control of the state and dominance of society."⁹ Beisel and Kay go on to argue that shifting demographics in the late nineteenth century caused by a rise of immigration to the US led to anxiety about what constitutes an American citizen and how power would be racially distributed. By passing laws that outlawed abortion, a practice that Beisel and Kay suggest was mostly used by white women,¹⁰ the state could enforce the continued reproduction of whiteness and institute laws that allowed for the control of women's bodies. As women, and particularly white women from middle- and upper-class homes, were told that their national duty was reproduction, abortion became associated with an evasion of that duty and a betrayal of country. For Beisel and Kay, the entanglement of abortion with race policy becomes a demonstration of the intersectionality of race, class, and gender.¹¹ However, I will argue that the American Medical Association's (AMA) anti-abortion stance was implicated in the demarcation of populations into racial types as a way to stabilize and legitimize race and class hierarchies and as a means to implicate the medical profession in upholding those hierarchies.

Beisel and Kay focus their essay less on the medical regulation of abortion and more on state policy. Even though present-day physicians would debunk eugenics as pseudoscience, licensed medical doctors from the mid-nineteenth century into the mid-twentieth century took eugenic ideology seriously in their writings and practice. After the AMA passed a resolution in 1859 condemning abortion and urging physicians to refuse women who sought the procedure,¹² articles emerged in leading medical journals that connected abortion with what was then called "race suicide." In the 1906 issue of the *Journal of the Missouri State Medical Association*, Dr. T.F. Lockwood writes, "If mothers had full control of conception and gestation, it would be but the expiration of the present generation until the final extinction would

come. The civilized portion of the globe would be depopulated by the follies of a people who would willingly sacrifice an entire nation merely for present social enjoyment and selfish motives."¹³ A few years later, in the middle of World War I, Dr. Fred Taussig makes the connection between abortion and eugenics even more explicit when he writes in the *Interstate Medical Journal*, "The slaughtering of millions of men in the present war makes it incumbent upon us to take measures at once to replenish as rapidly as possible the waste in human material, or we shall find ourselves seriously hampered on all sides of our development."¹⁴ He continues to argue that if reproduction does not increase among the fit, then the sickly, degenerate, and epileptic will constitute a greater portion of the population because they are not killed by war. In the same year, an article published by Dr. Oswald Beckman in the *California State Journal of Medicine* argues that if abortion continues to be practiced at the same rate then ". . . it will annihilate the nation, or that portion of it which has been the backbone in times past."¹⁵ These physicians were consciously employing the language of eugenics—using phrases like "waste in human material," "the civilized portion of the globe," and "the backbone [of the nation]"—to argue that if abortion continued to be practiced among middle-class, white Americans then Stoddard's prediction of the end of a eugenic Anglo-Saxon America would be realized.

Eugenics is obviously primarily concerned with populations, and its prime concern is making sure they are clearly demarcated, controlled, and regulated. Legislating abortion became one tactic for securing the management of American populations according to a eugenic logic, and by the 1920s, popular novels began making eugenic anxiety and its ties to abortion politics apparent. Viña Delmar's 1928 novel, *Bad Girl*, the first book I will examine in this essay, was published shortly after the institution of the 1924 Immigration Act, when anxiety about whiteness was especially elevated because of the recent waves of immigration to the US. The novel, with its vague observations about race, when read against its disciplining grain, reveals widely circulating eugenic fears.¹⁶ I will then turn to Christopher Morley's *Kitty Foyle*, published in 1939, which marks the beginning of World War II with its very real and wide-scale institution of eugenic policies. *Kitty Foyle* is more complicated in its treatment of race and abortion because, by the late 1930s, Hitler's racist diatribes and actions had changed what eugenics meant both in the US and in Europe. Thus, I see these two novels as experimenting with abortion and population politics in ways that make apparent what Alys Eve Weinbaum calls the "bind" between race and reproduction.¹⁷

Viña Delmar's *Bad Girl* was the fifth best-selling novel in 1928, according to the *Publishers Weekly* list of the top ten best-selling works of fiction.¹⁸ And Christopher Morley's 1939 *Kitty Foyle* was the second most widely read novel in 1940.¹⁹ Second-wave feminist criticism from the late 1970s to the early 1990s brought attention to women's popular fiction—novels and stories that were written specifically with a female audience in mind and sometimes by women writers. Critics such as Janice Radway, Tania Modleski, Madonne Miner, and Jennifer Scanlon have argued that genre fiction aimed at women provided them a space for connection or, as Scanlon puts it, opportunities for "identification, escape, and catharsis."²⁰ While I certainly think it might have evoked these emotions in many women, particularly if they were white women with leisure time and access to books, popular fiction is also a place to tell women stories about themselves and a means to circulate dominant ideologies, in particular, those regarding the ties among reproduction, race, and class.

Bad Girls and Class Desire

Bad Girl was extraordinarily popular in the first few years following its publication.²¹ It tells a story of individuated bodies and, within this narrative, a story about the regulation of populations.²² *Bad Girl* follows the story of Dot Haley and Eddie Collins's relationship from their initial encounter on a docked ship where a party for "the masses" was going on to their marriage to Dot's subsequent discovery of her pregnancy to the birth of her son. Both Dot and Eddie come from working-class backgrounds. Dot's father is unemployed, her mother is dead, and her older brother, Jim, supports the family. Eddie recalls accompanying his mother to her job as a housekeeper; he refuses to talk about his father, presumably because of his shameful working-class behavior. The novel is in part the story of Dot's and Eddie's slow rise in class position. When Dot realizes she is pregnant, she hesitates to tell Eddie because she worries that he would not want a child; they are not quite financially stable, but more importantly, it would mean that any disposable income they may have would go toward the child. Eddie in turn senses Dot's hesitancy and feels wary of expressing any enthusiasm. As a result, they both mistake each other's emotions, and Dot feels she should obtain an abortion because it is what Eddie desires. While the novel reads like the simple story of a young couple's misadventures, surrounding them are populations of people reminding them of who they are not.

When they visit Dot's friend Maude in an upscale part of town, Dot notes, "Here one would find no steps full of gossiping uncorseted Jewesses, no squalling, dirty-faced babies. The quietness of Alexander Avenue demanded quiet, and noisy, ill-bred families who came 'looking for rooms' were always repelled by the aloofness of the old brown houses."²³ This description demonstrates how the novel has already internalized a eugenic ideology to explain difference between populations. "Ill-bred families" shy away from Alexander Avenue not because they know they would not be welcomed—the prices of rooms would be too high and the landlords would refuse to rent to them—but because a stronger force naturally repels them and distances them from houses where women properly wear corsets, babies are always clean and well-behaved, and families can trace their lineage back several generations through Anglo-Saxon ancestors. In the language of the novel, as in eugenic philosophy, the lines between raced populations can never be crossed. Later in the novel when Dot is placed in a sanatorium for two weeks to heal from the birth of her child, she notes that the clinic is surrounded by homes populated by African Americans. During her labor pains she can hear them laughing and singing outside (BG 221). From her bed, she watches them through the window of her room; in the evening, she notes, "the house in back was just beginning to show signs of life. The negroes had slept the day away" (BG 239). The people Dot watches are never named; they are a population differentiated from Dot and Eddie by their incapacity to be productive. While Eddie works hard to support his family, and Dot recuperates from childbirth, the community of African Americans sleeps the day away. Yet Dot and Eddie are part of a population as well, composed of the white Anglo-Saxon middle class (or those striving to be middle class) who determine their individuality through differentiations from African Americans, immigrants, and Jews *en masse*.

In a scene that comes close to the novel's end, Dot is lying in the sanatorium, healing from the birth of her son, when she has a conversation with one of the other new mothers in the ward. Her companion tells her about her "Jewess" sister-in-law "who had had eleven abortions . . .," and she informs Dot that when this woman comes to visit, Dot "would know her by the big diamond ring she wore" (BG 233). Dot's position in the sanatorium places her in a liminal space between two classes. Told by her respectable and expensive doctor that giving birth in a sanatorium was the proper thing to do, and yet not being able to afford a private room, Dot chooses to spend two weeks in the sanatorium in a ward where four women

from potentially different classes and positions might share a room. The story Dot's temporary roommate tells her contradicts the popular narrative told by historians of abortion.

Starting in the late nineteenth century, abortion began to be associated with "the poor, the socially desperate, and the unwed."²⁴ Whether this was actually the case, in 1917, Margaret Sanger advanced the connection between impoverished women, eugenics, and abortion in her journal, *The Birth Control Review*. *The Review* published articles, stories, and letters condemning abortion by associating it with something only ignorant, poor women would actually choose.²⁵ Yet *Bad Girl* reveals another layer that links abortion to eugenics when it uses the example of a wealthy Jewish woman to condemn abortion. In this instance, the novel describes abortion not as a practice solely used by naïve working-class girls, but as a reviled choice made by a raced population (here Jewish) from which Dot, as a white woman, can distinguish herself. Dale Bauer reads this scene as associating reproductive control with "the abortive Jews, as well as the bourgeois Jew, who is financially rather than physically reproductive."²⁶ In this way, abortion figures as a means to distinguish populations, paralleling the bind between race, motherhood, and reproduction in literary productions as theorized by Allison Berg, Laura Doyle, Dale Bauer, and Alys Eve Weinbaum.²⁷ Berg, in particular, argues that "the rhetorical and literary uses of motherhood in the early twentieth century reveal the inherent contradictions of maternalist ideology, which served both to articulate a universal womanhood and to reinforce racial hierarchy."²⁸ In *Bad Girl*, abortion figures into this formula as a means to prescribe to white, middle-class women how they must not behave if they are to conform to the ideals of universal womanhood and its contingency on motherhood.

Medical journals from the first half of the twentieth century also suggest that while most physicians denounced abortion, they did acknowledge that it was practiced by women of all classes and races. In the *New York Medical Journal*, Dr. M. Rabinovitz condemns abortion but admits that "Criminal abortions are now being performed in all parts of the city, among all classes of society, and the dire results that frequently follow in its wake are just as gruesome in the palace as in the hovel."²⁹ Dr. E. M. Buckingham, writing in the *Cincinnati Lancet and Observer*, debunks the myth that single women seek abortion more frequently than married women and goes on to exclaim, "In the first place, and with what convincing force, does the idea come home to every high-toned man and woman of desecrating the lofty

marriage relation to a mere convenience for the gratification of lust? What a letting down of all the high and holy ideas of man and wife is this!"³⁰ Dr. P. Michinard also concludes that married women are to blame. He argues in front of an audience attending a symposium on criminal abortion in New Orleans that "It is had recourse to principally by married women, and very rarely seen among the unmarried. And I wish to say right here that the husbands are rarely to blame, showing that the man is not so bad after all."³¹ Implicit in all these medical critiques of married women who have abortions is that they are evading their responsibility by refusing to become mothers, and, as Buckingham makes most explicit, they are also desecrating the institution of marriage. As Dot's close friend, Edna, tells her in *Bad Girl*, having already internalized this ideology, women who have abortions are "Slackers, dames who'd shoot their fingers off to evade going to war if they were men" (BG 119).

An abortion never actually occurs in *Bad Girl*, but the possibility that it might consumes the plot for twenty-five pages. When Dot casually announces to Eddie that she is pregnant, Eddie misreads her and thinks she does not want to have a child. In turn, Dot misreads Eddie and thinks he does not want to become a parent. He asks Dot coarsely, "Do you want a baby?" (BG 103), and the narrative, focalized through Dot, repeats the question and reveals how little choice Dot feels she has in the matter: "Do you want to have a baby? He was looking at her now. What did he want her to say? No, of course. Would he look so worried, so hard, if he wanted the other answer?" (BG 104). So Dot replies that a baby would be unwelcomed, thinking this answer will please Eddie. This misunderstanding comprises the plot for almost the rest of the novel because not until its closing page, after the baby is born, do Dot and Eddie finally realize that they both want the child. And yet, besides functioning as a device to complicate the plot, the misunderstanding is used as a means to condemn abortion and to link it to naïve and irresponsible behavior. Eddie continues to emphasize that the choice to reproduce is Dot's, even as he secretly condemns abortion. When her friend Sue gives her pills that she claims will cause an abortion, Eddie asks Dot, "What are you going to do now?" (BG 106). Later, after she visits the abortionist and has a frightening experience, Eddie contemplates her indecision as the narrative focalizes through him:

Poor kid! Trying to make up her mind. Well, she'd have to come to a decision by herself. A man would have a hell of a nerve

to tell her to go ahead and have the baby. It was her job to bear the pain, her job to tend the little thing for years to come. What right had a man to say what she should do?

Advice in the opposite direction was an impossibility. It was murder as Eddie saw it, murder to snuff out the little germ of life that flickered so uncertainly, that little germ that grew up to be a kid in overalls with a dirty face who asked for pennies and was proud of his Daddy. (*BG* 117)

And even as Edna, Dot's friend and mother figure, persuades her not to have the abortion because she risks blood poisoning or death, Eddie still insists that "It's up to her" (*BG* 125). While Dot never learns about his anti-abortion beliefs, readers do and are thus emotionally caught in the tangled miscommunications that would "snuff out the little germ of life" that both Dot and Eddie desire, which they almost abort because they cannot express that desire. Regardless of how contemporary readers might view this scene, the narrative makes clear that an abortion for Dot and Eddie would be disastrously wrong.

The novel does even more to emphasize its anti-abortion position. When Dot visits the abortionist's office, one recommended to her by Maude, she intently examines the place from its outward appearance to its shabby interior: "There seemed something dread and ominous in the many drawn shades, something weird and murderous about the cat who innocently took the sun upon the front steps. . . . There was something offensive in the barrenness of the doctor's table. . . . The rug needed sweeping. . . . Dirty windows, a smeared window. . . . There was a damp chilliness about the room" (*BG* 111–12). Like the uncorseted Jewesses and dirty-faced babies, the room reeks of "ill-breeding" and mismanagement. The decaying space suggests a moral decay, one that is aptly represented by the doctor who lasciviously grabs Dot's breast as she begins to dress and tells her that he likes "to help little girls out. Little single girls" (*BG* 114). When Dot insists that she is married, the doctor mocks her by sarcastically noting that all girls who come to see him say that as well. He is clearly convinced that anyone seeking an abortion would be an unmarried woman who had had unforgivable, premarital sex. Thus, the entire scene constructs abortion as a space of decrepitude, dread, poverty, and illicit behavior. The narrative tension in this moment becomes less about whether Dot will choose to have an abortion and more about what class or population her behavior will interpellate her into.

Circulating discourses of abortion—as shameful, as trashy, as sinful—become a mechanism for regulating bodies. Even though the technologies that regulate abortion work on the individual, their capacity for movement, their circulation through human bodies, their ability to be transferred affectively allow them to become regulating mechanisms for controlling populations. They work, as Foucault argues regarding sexuality, by circulating precisely between the body and the population. Thus, through disciplining the body into normative behaviors, the kind of discipline that results in Eddie and Dr. Stewart in *Bad Girl* thinking that abortion is a shameful sin, entire populations can be managed and produced through difference (*I am not them; I do not do as they do*). Thus, even if abortion is legal or accessible, its inscription as a despicable practice sought by irresponsible women regulates the very populations that seek it.³²

“Female Plumbing is Just One Big Burglar Alarm.”³³

1940 was the year in which Margaret Sanger’s journal, *The Birth Control Review*, came to an end. It was also the year which found most of Europe fully immersed in a second world war, and in which the consequences of Hitler’s eugenic policies were becoming more widely known in the US. While Sanger’s journal claimed that it would stop publishing because its funds were being funneled into providing aid for a wide-scale war, I would also argue that the eugenic views expressed in her journal were becoming less popular as Americans were able to witness the horrors of eugenic ideology put into action in Germany and occupied Europe. Views on abortion and contraception were also beginning to change in the 1940s, as more women were entering the workforce and as the gains of the Women’s Movement from the turn of the century were allowing women more independence and autonomy.³⁴ Leslie J. Reagan’s historical study on abortion pre-1973 argues that, beginning in 1940, attacks on abortion clinics and abortionists became more rampant.³⁵ Before 1940, abortionists were usually only prosecuted if a procedure resulted in death. In the 1940s and 1950s, state surveillance of suspected providers of abortion was instituted, and even therapeutic abortions became more difficult to obtain.³⁶ Reagan sees a direct correlation between this new policy of abortion regulation and a nation-wide push to encourage women to have more children and embrace domesticity.³⁷

If *Bad Girl* was written on the heels of the suffrage movement (it was published only eight years after women received the right

to vote in national elections) and first-wave feminism, *Kitty Foyle* is coming from a place where that feminism, or at least women's right to suffrage, is already more entrenched in social consciousness, and the white-collar working woman is already a more accepted part of the workforce. *Kitty Foyle*, at least in its print version, has a more complicated position on the rising status of women in American society.³⁸ Written by Christopher Morley, known in his time as a popular Philadelphia journalist and essayist, *Kitty Foyle* is narrated in the first person by the eponymous Kitty using flashbacks and foreshadowing. The non-linear narration always maintains Kitty's quirky voice and her colloquialisms as she recounts her childhood in a working-class Philadelphia neighborhood, her doomed romantic relationship with Wynnewood Strafford VI from the Main Line (which Kitty calls the aristocracy of Philadelphia),³⁹ and her more tentative romance with the Jewish Marcus (Mark) Eisen. Like *Bad Girl*, *Kitty Foyle* is steeped in a eugenic discourse of population demarcation. In *Bad Girl*, those populations are always relegated to the shadows as mostly nameless inhabitants, but *Kitty Foyle* presents a more honest depiction of racial mixing even as it ambivalently writes against the possibility of crossing class and racial boundaries. What interests me most about this spectacularly popular novel of the early twentieth century is how, in the words of Margaret Stetz, its protagonist's "personal history was more than individual."⁴⁰

After Kitty's mother dies, her father hires an African American woman, Myrtle, to come help with the cleaning and cooking. Even as Myrtle becomes intimately connected to the Foyle family, sharing in jokes and opinions about Kitty's dates, she is still presented as vacuum-sealed within the confines of her race. As Kitty explains it, "Colored people don't have to stop and think in order to be wise; they just know about things naturally, it oozes out of them."⁴¹ Although Kitty sketches a positive picture of Myrtle and regularly confides in her, Myrtle is still presented as somewhat of a "Mammy" figure, one who is foremost classified by belonging to her race. Similarly, Myrtle also feels sympathetic to Kitty's family because she "figured that Irish, like colored people, were sort of on their own, secretly at odds with the rest of the world."⁴² Both Kitty and Myrtle view themselves against other populations that have privilege in order to delimit their own identities and affiliations.⁴³ Foucault argues that the construction of population first arose in its modern conception as precisely the means through which to regulate sexuality and ensure the normalizing effects of power. He asks whether the proliferation of discourses about sex is

motivated by one concern: "to ensure population, to reproduce labor capacity, to perpetuate the form of social relations: in short, to constitute a sexuality that is economically useful and politically conservative?"⁴⁴ In *The History of Sexuality*, his answer to that question is ambivalent because he shies away from umbrella statements about what technologies of power ultimately aim to achieve. However, in *Kitty Foyle*, the narrative that Morley constructs grapples precisely with the question of how a changing attitude toward genetics and reproductive medicine also changes class and race relations.

Morley's story is not quite as rigid as *Bad Girl*, which makes its questioning of sexual and class transgression all the more compelling. In one of Kitty's conversations with herself, she explains that she left Wyn because "he was the product of a system. He was at the mercy of that system" and that to stay with him would have made *him* impossibly unhappy. She questions this decision by asking and then answering herself, "Is it not your conviction that there are now no systems? That the whole of society is in flux? Not in—I mean not where Wyn lives."⁴⁵ Kitty's conflicted internal conversation exposes the difficult connection between the individual and the population: for, what happens if an individual rebels against the population? Does the possibility of this separation undo the construction of population? Foucault stresses that a people and a population are not the same. Populations are constructed through the gathering of statistics, trends, and norms. A people are tied together by a social contract that grants them rights by interpellating them as individuals. The key to this argument is understanding that "the population is pertinent as the objective, and individuals, the series of individuals, are no longer pertinent as the objective, but simply as the instrument, relay, or condition for obtaining something at the level of the population" (*STP* 42). In other words, the disciplining of individuals works to construct them into populations that see themselves as such. The social contract that forms the series of individuals does so only for the ultimate goal of shaping those bodies into a population that can be demarcated and bound.⁴⁶ Morley's *Kitty Foyle* plays out these tensions as it negotiates interracial relationships, a troubled eugenic ideology, and the role of abortion in white women's lives.

Little critical attention has been given to *Kitty Foyle* since its brief moment of fame in the late 1930s and early 1940s.⁴⁷ Today, the novel is out of print and the name *Kitty Foyle* is more likely to be associated with the film that won Ginger Rogers an Oscar. Yet its odd and open embrace of female sexuality and racial discourses positions it as an

important text because it reveals a changing view of the relationships among abortion, population management, and racial demarcations. On the one hand, Kitty mourns the loss of her potential child because “if it had been born, [it] would have been almost a gentleman because Wyn came from a cricket club family.”⁴⁸ Yet, she also tells herself that she would “be a better American if I married Mark than if I’d married Wyn. The more we get mixed up, I mean race mixed-up, the better. We got no time here for that kind of prejudice. But I suppose it’s all right to wish they wouldn’t be so hairy?”⁴⁹ Marcus Eisen, the hairy man that Kitty refers to in the latter quotation, is an upwardly mobile Jewish doctor, who determinedly courts her. While Mark is educated and ambitious—a seemingly ideal suitor—Kitty feels repulsed by him, a reaction she attributes to his “Jewishness.” When he admits to using her towel during a visit, she later throws all her towels into the laundry because the thought of using the same towel as him disgusts her. Yet, later, when she reflects that perhaps she should marry him, she tells herself: “I didn’t like to put it in words, but that made me wonder, maybe Mark’s being so racial is like Fedor’s leg, something that just happened and you’ve got to put up with.”⁵⁰ Fedor, a Russian immigrant who courts her friend Molly, lost one of his legs as a young boy. In the same scene, Molly tells Kitty that she is learning to overlook his missing leg and even admire him for how well he manages and never complains. Kitty then begins to wonder whether she should try to overlook Mark’s race, implying at the same time that his Jewishness is an immutable condition—like a missing limb—that makes one quite literally incomplete.⁵¹ Even though Kitty recognizes that marrying Mark might make her “a better American,” a philosophy that runs contrary to popular eugenic thought, her physical aversion to his body still constructs that union as impossible. Whereas her relationship with Wyn was filled with sexual longing and attraction, which eventually led to her pregnancy, it is precisely because she cannot imagine herself in intimate contact with Mark, a condition obviously necessary for reproduction in the early twentieth century, that she resists the idea of marriage. Thus, the narrative, while radically opening the possibility of a cross-racial marriage, ultimately forecloses it because reproduction is impossible under its conditions.⁵² Kitty cannot imagine producing a child with Mark because physical intimacy with him revolts her, and more importantly, the pregnancy that results from her relationship with Wyn has to be aborted because it would sully Wyn’s pure line of Anglo-Saxon descent.

In 1939—the year the novel was published—Nazi Germany was already fully implementing eugenic ideologies, many of them borrowed from American eugenicists. In 1933, Germany had passed the Decree for the Granting of Marriage Loans, which gave financial support to non-Jewish couples who were found to be “eugenic.” A year later, the Law for the Unification of Health Administration passed, specifying that the department’s main purpose was to support “heredity and racial care.”⁵³ By December 1935, with the Reich Decree for the Medical Profession, Germany had made it even clearer that doctors’ primary responsibility was for the “stabilization and improvement of health, heredity value, and the race of the German people.”⁵⁴ While US policies would obviously never become as wide-scale and destructive as what happened in Nazi Germany, Stefan Kühl’s work has traced how, particularly in the 1930s, German and American eugenicists closely collaborated and borrowed from each other’s work. For example, Otto Wagener, head of the Nazi Party’s Economic Policy from 1931 to 1933, in a book about how the American eugenic movement influenced Hitler, claimed that Hitler had carefully studied eugenic laws passed by several states and found them quite influential in his own lawmaking. In a reverse situation, Joseph S. DeJarnette, a member of the Virginia sterilization movement, told *Time* magazine in 1935, “The Germans are beating us at our own game.”⁵⁵ Therefore, when Kitty finds Mark repulsive because he is Jewish and when she imagines Mark’s “Jewishness” as being an immutable condition that he may not be able to overcome, the novel is gesturing to a eugenic ideology that was already being shared between the US and Germany, although the horrific implications of this ideology would not be entirely revealed for a few more years.

And yet, the novel also unfolds a narrative that often runs contrary to the nation-building project that eugenicists like Stoddard imagined. After Wyn marries a woman from his class with a similar ancestral genealogy, Kitty speculates whether “a nice girl like Ronnie hasn’t slowed up the Strafford family for quite a few generations; just because she’s a nice well-bred girl and nothing else. Mark tells me something about the cross-pattern of the genes. It sounds like eeny-meeny-miny-mo like counting stitches when you turn the heel of a sock. Still and all, if I was a Family I’d like to knit some genes into it that wants to get somewhere.”⁵⁶ Kitty’s description of Wyn’s marriage is both invested in a eugenic understanding of race and, at the same time, resistant to it. On the one hand, she thinks that, although Ronnie is “well-bred,” her conservative and old-fashioned beliefs and behaviors will be detrimental to the Strafford Family. However, she

implants the same eugenic logic of inheritance to support her theory that Ronnie's genes are somehow insufficient, and she is wedded to the theory that the Straffords make up a "Family," with a capital "F." Thus Kitty, who implicitly also represents the narrative voice of the novel, is unable to detach herself from a hierarchical formulation of race and reproduction. While she longs to step out of the system that indicts her relationship with Wyn, she is still interpellated into its constructions of "genetically" differentiated populations. Similarly, when she sees a three-year-old Jewish boy on the street, she simultaneously thinks, "the Jewish hasn't come out on his features yet but you can see it there ready for when it'll be needed"⁵⁷ and "That kid's my candidate for the year 2000 . . . He's my secret candidate for the future My baby could have been going strong in 2000; at least he wouldn't be 70 yet, and with all those wonderful genes"⁵⁸ Kitty, like the novel's narrative, is conflicted: as she imagines a more racially harmonious future and even supports it, she can't quite escape the population markers of her time that have inscribed race through reproduction and genetics.⁵⁹

When faced with the unintended opportunity to reproduce a Strafford, quite literally when she becomes pregnant after her affair with Wyn, Kitty is unable to imagine a situation where that child could be raised within US borders. She briefly fantasizes about having the child with him and living on a Caribbean island together, and even goes as far as making a date with him to explain the news. However, as she is waiting for him at a pub, she catches sight of a newspaper announcing the engagement of Wyn to Ronnie, a society lady of his class. Immediately, she recognizes that her relationship with Wyn is an impossible fantasy and that to tell him about her pregnancy would be to relegate them both to the outskirts of society. Kitty understands that if she chooses to bear her child outside a socially accepted marriage, then she must either face lifelong reprobation or move outside the juridically defined borders of her state. Given these choices, Kitty quickly decides that the only option for her is an abortion.

Abortion in *Kitty Foyle* is not villainized in the way it is in *Bad Girl*,⁶⁰ and yet what the abortion scene forecloses is the possibility of cross-class, cross-population reproduction. Kitty's experience with the doctor she visits for the abortion differs from Dot's in a number of important ways. First, she is referred to a more legitimate doctor, one who likely charged fairly high fees and was used to seeing a more middle-class clientele, because her wealthy employer agrees to help her cover the costs. Kitty even has an amiable conversation with the doctor

before the procedure, making her feel comfortable with the process. She describes him as "skilful and decent . . . a good egg,"⁶¹ an experience which is far removed from the foreboding atmosphere that Dot encounters when she visits the abortionist. By the late 1930s, medical journals rarely printed articles condemning abortion and abortionists as they had in the earlier part of the century, although Kitty's affectionate assessment of her doctor would still have been anomalous among other public descriptions of abortions and abortionists. Furthermore, after the operation, Kitty insists that she "couldn't feel any wrongness . . . I did what I had to do."⁶² Thus, abortion in the novel no longer has the disciplining force that it contains in *Bad Girl*. Kitty is not demoralized or placed on the brink of destitution because of her decision. Little in her life changes because of her decision, and she even has sex with Wyn once more after his marriage. And although the possibility of Kitty and Wyn's marriage is never brought up again after the abortion, this ostensibly occurs because of Wyn's new relationship with Ronnie." However, the abortion does signify the futility of their relationship. Whereas Dot's ultimate decision to complete her pregnancy represents a rise in class position and a demarcation from other idle, "unfit" populations in *Bad Girl*, Kitty's decision to have an abortion represents the difficulty of undoing constructions of population, even through reproduction.

When Kitty explains her decision to have an abortion, she asserts that it was made because "Wyn wasn't big enough to have a bastard; or the folks he had to live with wouldn't let him be. It would be making people unhappy for the sake of somebody that didn't really exist yet."⁶³ Thus, like Dot, Kitty makes her decision based on what she thinks others will desire. On some level, Kitty recognizes the technologies that ultimately shape our actions. Early in the novel she observes: "I make my living now by trading on women's herd instincts, and I can see how useful it is for them to think they're exercising their own choices when actually they're simply falling in line with what some smart person has doped out for them."⁶⁴ Kitty seems to grasp the mechanisms of discipline and to even understand that her own choices are not always her own. Given the impossibility of a continued relationship with Wyn and the grueling hardship of single motherhood, which would be socially stigmatized and financially challenging, Kitty decides on an abortion because she has been disciplined as a working-class woman not to expect that Wyn would ever marry her. The relationship with Mark that follows only stresses the rigid markers of population and the powerful controlling discourses of

eugenics that normalize reproductive practices. As Kitty describes after a doctor confirms her pregnancy: "It's funny that feeling 'But things like this don't happen to *me*.' I felt like one of those assy letters to the Woman's Page."⁶⁵ When Kitty becomes pregnant, she recognizes herself, perhaps for the first time, as part of a population of working-class women whose illicit pregnancies function to keep them within the confines of their class, race, and social status. She's no longer just idiosyncratic Kitty, but part of a population of "assy" letter writers whose bodies are managed through a regime of biopolitics that works to simultaneously maintain racial demarcations and hegemonic norms.

As we have seen, abortion began to appear more prominently in the plots of novels in the first half of the twentieth century, which mirrors what Leslie Reagan describes as the "open secret" culture of abortion during the years it was outlawed. Novel reading was done privately, and therefore, more taboo subject matter that would have been off limits on the screen or stage was less often censored. Women of all classes and races commonly sought abortions in the 1920s and 1930s—the plots of *Kitty Foyle* and *Bad Girl* would not have been shocking to most of their readers, had these stories been told through word of mouth. More surprising about these novels is their frank and detailed discussion of abortion and female sexuality, which only appears in earlier novels in more disguised language. For example, Edith Wharton's *Summer*, published ten years before *Bad Girl*, presented abortion in more abstract terms. In *Summer*, Charity also visits an abortionist, but her body is not sexualized during the visit, and the abortion ultimately never occurs. In *Bad Girl* and *Kitty Foyle*, readers could recognize themselves in Kitty and Dot because they were not just individuals but segments of a demarcated population. And it was precisely because these novels work on the level of population—a population that today no longer exists because of the shifting forces of control and regulation—that these novels can tell us so much about abortion in the early twentieth century and its bind to racialized hierarchies and the forces of eugenics.

NOTES

1. See Morrow, *The Great War*.

2. In *The Passing of the Great Race*, Grant makes some very unscientific claims about the different white races that make up Europe. The entire thrust of the book is to demonstrate how Nordics, a group he sees as originating in northern Europe, are superior to all other whites. While Stoddard concedes to this claim in *Rising Tide*, he makes it in a more minor passing point (162).

3. Ibid.

4. If there were fewer than 100 residents of a given national population, then 100 was used as the minimum number. Therefore, from that country two people would be allowed to immigrate per year. A maximum quota was also determined that used a complicated ratio. See Trevor, *An Analysis of the American Immigration Act of 1924* for the complete Act and its rules.

5. Galton coined the term "eugenics" from the Greek root meaning "good in birth."

6. Numerous books have been published on the history of eugenics. See, for example, Bruinius's *Better for All the World*, Roberts's *Killing the Black Body*, and English's *Unnatural Selections*. I'm particularly referring here to the eugenics movement that gained strength after World War I, and encouraged the ideology that intelligence was inherited, that class and race position were genetically coded, and thus that certain populations needed to be managed through limiting their ability to reproduce, often through forced sterilization. A 1927 Supreme Court case, *Buck v. Bell*, provides an infamous example of these policies; Carrie Buck was sterilized without her consent because her "lower intelligence" made her an unsuitable candidate for reproduction according to the Court.

7. Mills, "Biopolitics, Liberal Eugenics, and Nihilism," 187.

8. I'll be arguing here that anti-abortion rhetoric was used as a means to discipline middle-class, white women to behave according to the norms of early twentieth-century womanhood and motherhood. Admittedly, abortion laws, attitudes, and ideologies have been used to shape women's reproductive functions in myriad ways. In our contemporary moment, for example, disability rights groups often argue that pro-abortion laws allow potential parents to discriminate against fetuses diagnosed with abnormalities as a means to privilege only those children that conform to society's expectations of what a healthy child is and what it means to parent that child.

9. Beisel and Kay, "Abortion, Race, and Gender in Nineteenth-Century America," 499.

10. Other historians of abortion in the US have similarly argued that abortion was mostly sought by white women. See Brodie's *Contraception and Abortion in 19th-Century America*, Reagan's *When Abortion was a Crime*, and Mohr's *Abortion in America*.

11. I share Wendy Brown's critique in "The Impossibility of Women's Studies," where she argues that a model of intersectionality for understanding the cross-section of gender, race, and class is problematic. This model often assumes, including in the way Beisel and Kay employ it, that all three categories of identity function on different axis that can be analyzed separately. Instead, Brown suggests we understand the construction of identity as a tight weave that is constantly reified and resisted through various technologies.

12. When the AMA unanimously passed the resolution that abortion should be outlawed from the moment of conception, they gave the following justification: "We are the physical guardians of women; we, alone, thus far, of their offspring in utero. The case is here of life or death—the life or death of thousands—and it depends, almost wholly, upon ourselves" ("AMA Report on Criminal Abortion," 76).

13. Lockwood, "Criminal Abortion," 220.

14. Taussig, "The Control of Criminal Abortion," 772.

15. Beckman, "Abortion, and Some Suggestions," 447.

16. A *New York Times* article reported that bookstores in Boston refused to sell *Bad Girl* because of "one pretty strong chapter in it" (10). Presumably, the *Times* article, which published shortly after the novel's debut, refers to the chapter where Dot visits the abortionist and is molested by him. The article is titled "Boston Bans Delmar Book" and was published May 4, 1928, on page 10.

17. Weinbaum, *Wayward Reproductions*, 6. Weinbaum argues that race and reproduction form a bind that make the two terms inextricable so that one cannot discuss race without conjuring reproduction and vice versa.

18. See Korda's *Making the List* for more details about the bestsellers of 1928.

19. *Kitty Foyle* was the tenth bestselling novel in 1939, the year it was published.

20. Scanlon, *Inarticulate Longings*, 139.

21. Delmar's novel, while currently out of print, was a huge bestseller when it was first published in 1928. It was also made into a play and an Oscar-nominated film in the year of its publication. I've chosen to focus on this novel because it nicely demonstrates the way shame and sexuality encompass both the individual and population, but also because it was "the book everybody read, whether he admitted it or not" (Rice 58, quoted in Gillette, "Making Modern Parents," 61). For more details see Gillette's "Making Modern Parents," in which the author carefully documents the novel's reception in its time. Bauer also has an incisive reading of the novel in *Sex Expression and American Women Writers* where she argues that Dot's sexuality is "more about bourgeois possibility and geographic location than it is about racial stereotypes of black promiscuity and Jewish greed" (161). I agree with Bauer's first two points, but I argue here that the novel equates racial identity with the first two categories.

22. In a *New York Times* review of books published in first six months of 1928, Chamberlain writes of *Bad Girl*, "If the novel had been written before the wars commenced to rage over Zola back in the last century it would have marked a great date in literary history; as it is, it marks a minor date in the history of contemporary manners. The story is skilful, observant, and captures a mood in the life of a section of the metropolis that will be invaluable 100 years hence for those seeking bygone atmosphere" (BR2). While in the same review Chamberlain dismisses Claude McKay's *Home to Harlem*, his observation of *Bad Girl* feels quite prescient to me, as a reader who sought the novel precisely because of its glimpses of early twentieth-century American life. Chamberlain's article, "Six Months in the Field of Fiction" was published June 24, 1928.

23. Delmar, *Bad Girl*, 34; hereafter cited in text as *BG*.

24. Mohr, *Abortion in America*, 240.

25. See Weingarten, "The Inadvertent Alliance" for my elaboration on Margaret Sanger's arguments about abortion and eugenics. *Feminist Formations* was previously the *National Women's Studies Association Journal*.

26. Bauer, *Sex Expression and American Women Writers*, 159.

27. Weinbaum is interested in how "race and reproduction are bound together within transatlantic modernity's central intellectual and political formations" (*Wayward Reproductions*, 6). This essay takes Weinbaum's argument to be central so that any discussion of abortion must then be subtended by racial undertones. Similarly, Berg's *Mothering the Race* and Doyle's *Bordering the Body* argue that modernist discussions of motherhood are always racially imbued, and thus I further their claim here to include abortion. Doyle, for example, has argued that "mothers reproduce bodies not in a social vacuum but for either a dominant or a subordinate group" (*Bordering the Body*, 5).

28. Berg, *Mothering the Race*, 18.

29. Rabinovitz, "End Results of Criminal Abortion," 809.

30. Buckingham, "Criminal Abortion," 141.

31. Michinard, "Medical Aspect of Criminal Abortion," 262.

32. In 1930, *Bad Girl* was made into a Broadway play, scripted by Lincoln Osborn, and was first performed off-Broadway in a Bronx theatre in September 1930. Surprisingly, the dramatic script for this version is frank and direct about Dot's and Eddie's pre-marital sex and the discussion of abortion after their marriage. During its opening night, both the district attorney and several local policemen attended

the performance, ostensibly because they suspected it might depict unsavory scenes. A *New York Times* article published September 21, 1930, reports that they filed a complaint against the play and that the action would have prevented the show from its upcoming scheduled run on Broadway. However, the producer, Robert Newman, insisted that the inappropriate scenes would be deleted before the Broadway opening (14). A year later, *Bad Girl* was also made into a film directed by Frank Borzage. In the film there is never any doubt that Dot will carry her pregnancy to term, and the film only alludes to their pre-marital sexual relations. While the Hays Code might have prevented any more direct reference to what happened when the screen went dark, the Code was not actually officially enforced until 1934.

33. Morley, *Kitty Foyle*, 262.

34. For more on the effects of the Women's Movement beginning in the 1940s, see Gordon (*Woman's Body, Woman's Right*), who argues that the backlash against feminist gains in the 1920s began in the 1940s, not the 1950s, as previous historians have argued.

35. Reagan, *When Abortion Was a Crime*.

36. The film *Kitty Foyle*, which I don't discuss here, also omits any direct reference to Kitty's abortion, but there are some obvious allusions to its occurrence. In order to portray Kitty's sexual relationship with Wyn, which is a central component of the novel's plot, the film version has the couple marry, then consummate the relationship, only to annul the marriage shortly after. Rather than willingly terminate her pregnancy, the film suggests that she carried it to term, only to give birth to a stillborn boy, whom she never sees. In 1942 *Kitty Foyle* was also scripted into a play, first performed that August at the Michiana Shores Theatre. While the characters in this version remain the same, the overall arc of the story dramatically changed, especially as the performance closes with the presumed marriage of Wyn and Kitty. The play, while offering a tempered version of the novel, actually revises its eugenic slant as it insists that Kitty's marriage to Wyn is possible and that their reproductive possibilities do not have to be aborted. Yet at the same time their progeny must follow her genealogy since Wyn, by marrying Kitty, must reject his.

37. Reagan, *When Abortion was a Crime*, 163.

38. Some states, including New York, even instituted laws that forced women who had abortions to testify against their providers. If they refused, they risked being incarcerated until they testified. *Ibid.*, 165.

39. To stress the difference in class between Kitty and Wyn, a 1939 *New York Times* review of the novel described, "Translated into local terms, it is almost as though a girl from Brooklyn had fallen in love with a gentleman from Westbury or Sands Point. Almost, but not quite; actually there is no parallel anywhere in the East for the suburban elegance that clusters along the main line of Pennsylvania this side of Paoli" (*Books of the Times*, 33).

40. Stetz, "Christopher's Morley's Kitty Foyle," 135.

41. Morley, 18.

42. *Ibid.*, 17.

43. Kitty and Myrtle's position in the novel as outsiders could be encapsulated by what Nietzsche has termed *ressentiment*. He writes, "in order to exist, slave morality always first needs a hostile external world; it needs, physiologically speaking, external stimuli in order to act at all—its action is fundamentally reaction" (*On the Genealogy of Morals*, 37). For Myrtle and Kitty, the Main Liners who can supposedly trace their ancestors back seven generations in Philadelphia and even longer in England are posited as the hostile external world against which Myrtle and Kitty construct their identities.

44. Foucault, *History of Sexuality*, 37.

45. Morley, 46.

46. I realize that my language here suggests a fairly static formulation of the population. However, I want to stress that while populations are meant to be

contained, the continuation of their existence actually depends on a more fluid categorization. For example, in the early twentieth century whiteness only constituted people with Anglo-Saxon heritage, but by the middle of that century whiteness had already shifted to subsume Jews, Italians, Irish, and other previously excluded groups. This shift was necessary to maintain whiteness as a construction of population.

47. In 1947 Gordan published "Kitty Foyle and the Concept of Class as Culture" in *The American Journal of Sociology*, using *Kitty Foyle* to demonstrate his argument that "class is culture." See also Stetz, "Christopher's Morley's Kitty Foyle: (Em)Bedded in Print." Beyond those two works, most of the attention *Kitty Foyle* received was in the form of reviews in the year of its publication.

48. Morley, 27.

49. *Ibid.*, 280.

50. *Ibid.*, 336.

51. By comparing Mark's race to Fedor's missing leg, Kitty is defining race as consisting of lack. In a similar vein, the German Nazi-era eugenicist Otmar Freiherr von Verschuer understands "inferior" races as "a group of human beings who manifest a certain combination of homozygotic genes that are lacking in other groups" (quoted in Agamben, *Homo Sacer* 88). For von Verschuer, racism is pseudo-scientifically based on the lacking of key genes in certain population categories, whereas for Kitty race is formed through an inverse process—Mark's racial difference is due to an incompleteness in his genetic make up.

52. I should note that the end of the novel is ambiguous. Kitty never tells her reader what she decides, although she does answer Mark's phone call and calls him "darling."

53. Kühl, *The Nazi Connection*, 29.

54. *Ibid.*, 31.

55. *Ibid.*, 37.

56. Morley, 306.

57. *Ibid.*, 325.

58. *Ibid.*, 326.

59. I would even venture to say that this is the first American novel that does not negatively portray abortion. In most previous American novels, abortionists were presented as deceptive or greedy and if an abortion occurred the consequences were never positive.

60. Kitty's reference to a "cross-pattern of the genes," explained to her by Mark, who is also a doctor, suggests that Morley was familiar with the work of geneticists such as Hugo de Vries and August Weismann, whose work in the early twentieth century re-discovered Mendelian genetics and helped establish in the scientific community that heredity is genetically inscribed.

61. Morley, 270.

62. *Ibid.*

63. *Ibid.*, 269.

64. *Ibid.*, 65.

65. *Ibid.*, 263.

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